

Dean L. Engelhardt et al., Serial No.: 08/486,069 (Filed: June 7, 1995)
Page 147 [Supplemental Amendment To Applicants' July 7, 2005 Amendment Under 37 C.F.R. §1.116
(Following The September 8, 2005 Advisory Action)
– September 19, 2005]

REMARKS

This paper is directed to the May 27, 2005 Office Action and it also follows the personal interview held on June 29, 2005. Entry of the above listing and claim amendments is respectfully requested since this paper (Amendment Under 37 C.F.R. §1.116) either places the application in condition for allowance or reduces issues if an appeal becomes necessary.

After implementing the above claim listing, the status of the claims in this application will be as follows:

I. Status of Claims After Entry

After entry of the claims identified in the complete listing above, the status of the claims will be as follows:

Amended claims: None.

Canceled claims: 1723-1724, 1740-1741, 1769-1773 and 1775.

New claims added: None

Pending claims presented for further examination: 569-571, 573-575, 577, 582-589, 592-594, 597-600, 602-604, 607-608, 610-612, 614-624, 634-635, 637-638, 641-642, 646, 648-651, 656-661, 667, 670, 707-714, 716-717, 719-723, 725-727, 729, 734-747, 749-752, 754-756, 759-760, 762-764, 766-776, 786-787, 789-790, 793-794, 796-797, 800-803, 808-813, 819, 822, 859-866, 868-869, 871-875, 877-879, 881, 886-899, 901-904, 906-908, 911-912, 914-916, 918-928, 938-939, 941-942, 945-949, 952-955, 960-965, 971, 974, 1011-1018, 1020-1021, 1023-1027, 1029-1031, 1033, 1038-1051, 1053-1056, 1058-1060, 1063-1064, 1066-1068, 1070-1080, 1090-1091, 1093-1094, 1097-1099, 1101, 1104-1107, 1112-1117, 1123, 1126, 1163-1170, 1172-1173, 1175-1179, 1181-1183, 1185, 1190-1200, 1204, 1208-1209, 1212-1216, 1218-1244, 1248-1249, 1253, 1255-1258, 1263-1270, 1272, 1275, 1278-1294, 1296-1328, 1331-1332, 1334-1351, 1353-1354, 1357-1358, 1360, 1362-1369, 1372-1380, 1383, 1386-1391, 1393-1407, 1409-1487, 1490-1491, 1493-1499, 1504-1516, 1518, 1520-1525, 1527, 1530-1539, 1541, 1544-1568, 1570-1585, 1587, 1592-

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1612, 1614-1615, 1618-1621, 1623-1628, 1631-1632, 1635-1647, 1649-1656, 1658, 1660-1667,
1670-1677, 1679-1680, 1682, 1685-1722, 1727-1739, 1742-1757, 1760-1768 and 1776-1796.

Applicants appreciate the indication in the September 8, 2005 Advisory Action that two rejections (new matter rejection of claims 1500-1503 and the vagueness/indefiniteness rejection of claims 1436-1439 and 1441-1444) from the May 25, 2005 Office Action were overcome by their July 7, 2005 Amendment Under 37 C.F.R. §1.116. Thus, the only issue that remains for resolution is the new matter rejection of claims 1723-1724, 1740-1741, 1769-1773 and 1775.

As indicated in the claim listing above, Applicants have canceled claims 1723-1724, 1740-1741, 1769-1773 and 1775. The cancellation of these claims is done without prejudice or disclaimer to Applicants' rights, and it removes the only remaining ground for rejection in this application. Moreover, the cancellation of these claims will allow for Applicants' interference request to move forward.¹

Entry of the above claim cancellations is respectfully requested.

An early indication both as to the allowability of the pending claims and the suspension of *ex parte* prosecution pending resolution of Applicants' interference request is respectfully requested.

* * * * *

¹ The September 8, 2005 Advisory Action stated on the last page (p. 6):
The request for interference remains held in abeyance as the above issue [new matter rejection of claims 1723-1724, 1740-1741, 1769-1773 and 1775] still prevents proceeding with interference proceedings.

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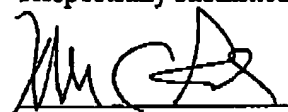
SUMMARY AND CONCLUSIONS

In light of the above cancellation of ten claims which removes the sole remaining rejection in this case, Applicants believe that no additional fees are due in connection with this paper. Thus, the total number of claims pending in this application is less than the number of previously paid for claims. In the event that any additional fees are due in connection with this paper, however, Applicants hereby requests that the Patent and Trademark Office charge the amount of any such fees to Deposit Account No. 05-1135.²

If a telephone conversation would further prosecution of the application, the Examiner is welcome to call Applicant's undersigned attorney at the number below.

Early and favorable action is respectfully requested.

Respectfully submitted,



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² As indicated above on the first page, this paper is accompanied by a Request For Extension Of Time (One Month), and authorization for the fee therefor.

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